

<b>FREE TRANSMITTAL</b> For FY 2005 <b>MAIL STOP Amendment</b>		Complete If Known					
		Application No.	08/944,234				
		Filing Date	October 6, 1997				
		First Named Inventor	Vincent Bryan <i>et al.</i>				
		Examiner Name	Lien M. Ngo				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	3727				
Total Amount Of Payment (\$) <b>2320*</b>		Attorney Docket No.	64118.000044				
<b>METHOD OF PAYMENT</b> (check all that apply)							
Check <input checked="" type="checkbox"/> \$ 2120 <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (identify): _____							
* Additionally, please charge Deposit <input checked="" type="checkbox"/> Deposit Account    Account Number <u>50-0206</u> in the amt. of \$200.00    Deposit Account Name : <b>Hunton &amp; Williams LLP</b>							
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)							
<input type="checkbox"/> Charge fee(s) indicated below. <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments.							
<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH AND EXAMINATION FEES</b>							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	Fee(\$)	Small Entity Fee (\$)	Fee(\$)	Small Entity Fee (\$)	Fee(\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300.00	150.00	500.00	250.00	200.00	100.00	
Design	200.00	100.00	100.00	50.00	130.00	65.00	
Plant	200.00	100.00	300.00	150.00	160.00	80.00	
Reissue	300.00	150.00	500.00	250.00	600.00	300.00	
Provisional	200.00	100.00	0.00	0.00	0.00	0.00	
<b>2. EXCESS CLAIMS FEES</b>							
For	Number Present	Highest Number Paid For	Extra	Fees (\$)	Small Entity Fee (\$)	Fees Paid (\$)	
Total Claims	119	125	0 x	50.00	25.00		
Independent Claims	26	15	10 x	200.00	100.00	2200	
Multiple Dependent Claim				360.00	180.00		
Total Excess Claims Fees						2200	
<b>3. APPLICATION SIZE FEE</b> (if the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	No. of Each Additional 50 or Fraction Thereof	Fees (\$)	Small Entity Fee (\$)	Fees Paid (\$)		
_____ - 100 =	_____ / 50 =	_____ (round up to a whole number) x	250.00	125.00			
<b>4. OTHER FEE(S)</b>							
<input type="checkbox"/> Non-English Specification (no small entity discount)				<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)			
<input type="checkbox"/> Surcharge - late filing fee or oath				<input type="checkbox"/> Design Issue Fee			
<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet				<input type="checkbox"/> Plant Issue Fee			
<input checked="" type="checkbox"/> 1 Month Extension of Time    120				<input type="checkbox"/> Petition to Commissioner			
<input type="checkbox"/> Submission of Information Disclosure Statement				<input type="checkbox"/> Petition to Revive (Unavoidable)			
<input type="checkbox"/> Notice of Appeal				<input type="checkbox"/> Petition to Revive (Unintentional)			
<input type="checkbox"/> Request for Oral Hearing				<input type="checkbox"/> Petitions Related to Provisional Applications			
<input type="checkbox"/> Filing Brief in Support of Appeal				<input type="checkbox"/> Recording Each Patent Assignment Per Property			
<input type="checkbox"/> Filing Submission After Final Rejection				<input type="checkbox"/> Other (specify) _____			
<b>SUBMITTED BY</b>							
Signature		Registration No.		Telephone			
Typed or Printed Name		Date					



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 08/944,234 Confirmation No.: 1173  
Applicant : Vincent Bryan *et al.*  
Filed : October 6, 1997  
Title : DRILL HEAD FOR USE IN PLACING AN INTERVERTEBRAL  
DISC DEVICE  
TC/Art Unit : 3727  
Examiner: : Lien M. Ngo  
Docket No. : 64118.44  
Customer No. : 21967

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR ONE MONTH EXTENSION OF TIME AND  
RESPONSE TO OFFICE ACTION DATED SEPTEMBER 24, 2004**

Sir:

**REQUEST FOR EXTENSION OF TIME**

Applicants respectfully request a one-month extension of time under 37 C.F.R. § 1.136(a) for responding to the Office Action mailed on September 24, 2004, in the above-captioned application. Applicants request that the time for response be extended up to and include January 24, 2005.

A check in the amount of \$2120.00 is attached to cover the one-month extension of time fee (\$120.00) for a large entity and additional claims (\$2000.00). Additionally, applicants herein authorize the PTO to charge **Deposit Account No. 50-0206** in the amount of \$200.00 for additional claims fees associated herewith. In the event of any variance between the amount enclosed and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's Deposit Account No. 50-0206.

**AMENDMENT**

Responsive to the Office Action mailed September 24, 2004, please amend the above-captioned application as set forth below.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begin on page 3 of this paper.

**Remarks** begin on page 31 of this paper.

|| 01/27/2005 AWONDAF1 00000105 08944234

01 FC:1251  
02 FC:1201

120.00 OP  
2000.00 OP